



AMERICAN
ARBITRATION
ASSOCIATION®

INTERNATIONAL CENTRE
FOR DISPUTE RESOLUTION®

Hon. James A. Daross

Profession

Attorney, Former Judge, Arbitrator, Mediator

Work History

Attorney, Sole Practitioner, 2014-Present; Regional Managing Attorney, Office of the Attorney General of Texas, 2000-2014; Of Counsel, Krafur, Gordon Mott, P. C., 1997-2000; Judge, 384th Judicial District Court, State of Texas, 1995-1996; Partner, Vinson, Reaves, Daross & Cortez, LLP, 1988-1995; Sole Practitioner, James A. Daross, PC, 1986-1988; Associate, Lipson & Dallas, PC, 1983-1986; Corporate Counsel, El Paso Natural Gas Company, 1972-1983.

Experience

As a Managing Attorney in the Consumer Protection Division, Office of the Attorney General of Texas:

- represented the State of Texas, the Texas Department of Savings and Mortgage Lending and the Office of Consumer Credit Commissioner in matters related to financial services litigation, including mortgage litigation, foreclosure fraud, debt collection, and mortgage broker regulation;
- investigated cases involving the Truth in Lending Act, Home Ownership and Equity Protection Act Fair Debt Collection Practices Act, Fair Credit Reporting Act, Real Estate Settlement Procedures Act, mortgage related fees and services, force-placed insurance, mortgage origination and servicing, and securitization of residential mortgage backed securities;
- was on the Executive Committee in over a dozen multi-state cases regarding deceptive trade practices, predatory lending and mortgage servicing, including cases against Ameriquist, Countrywide, Wells Fargo, Ocwen Financial and others, which together brought in over \$185 million in attorney's fees, restitution to consumers, civil penalties and other payments to the State of Texas, and resulted in over \$400 million in non-cash benefits to Texas consumers;
- received the US Attorney General's Award for Distinguished Service (the first time that award has been given to non-employees of the US Department of Justice) for having represented the State of Texas on the eight-state, DOJ and HUD negotiating team for the \$26 billion National Mortgage Servicing Settlement against Ally Bank, Bank of America, Citibank, JP Morgan Chase, and Wells Fargo; the settlement amount was the largest joint state-federal settlement in history;
- worked with attorneys from all fifty states, the FTC, US DOJ, HUD and CFPB;
- was named Outstanding State Government Attorney by the El Paso, Texas Bar Association in 2006;
- represented the Texas Department of Aging and Disability Services, the Texas Department of State Health Services, the Texas Higher Education Coordinating Board, the Texas General Land Office and the Texas Workforce Commission.

As the first judge of the 384th District Court of the State of Texas:

- conducted 25 jury trials in 13 months;
- did not have a single appeal on any of the verdicts rendered;
- took over the eight-hundred-case civil docket of another court and resolved

approximately half of them within 6 months.

As in-house counsel for El Paso Natural Gas Company:

- represented the company before the Federal Energy Regulatory Commission, the Texas Railroad Commission, the Oklahoma Corporation Commission and the New Mexico Oil Conservation Commission;
- represented the company's Engineering, Land and Contract Departments in drafting agreements and overseeing litigation by outside counsel;
- drafted and reviewed debt facilities of the company, including supplemental indentures to the company's main debt instrument and sinking fund debentures.

In private practice:

- litigated cases involving contract disputes, the UCC, consumer protection, wills and estates, construction contracts, international/cross-border matters, landlord-tenant issues, borrowers, lenders, and financial institutions;
- represented the RTC in approximately 100 actions brought against former directors and officers of failed financial institutions.

Served as a member of the Board and Vice Chair of the Texas Department of Housing and Community Affairs, the Texas housing finance agency.

**Alternative Dispute
Resolution Experience**

Served as a mediator for the El Paso County Dispute Center from 1989 to approximately 1993, mediating cases primarily involving small contract disputes. Also served as a mediator while of counsel to Krafur Gordon Mott, PC. Mediated approximately 20 cases, generally involving personal injuries or contract disputes. As an attorney in private practice and as an Assistant Attorney General, served as an advocate in approximately 15 mediations.

**Alternative Dispute
Resolution Training**

ACE 22 - Process Essentials for AAA Arbitrators, 2022; ACE 21 – Impartiality: Do You Know Where Your Biases Are?, 2021; ACE 20 - Cyber Security: A Shared Responsibility, 2019; AAA ACE 19 Case Finances: What Arbitrators Need to Know, 2019; Arbitrator Performance and Demeanor ~ Meeting Participant Expectations, 2018; AAA Best Practices in Commercial Arbitration, 2017, 2016; Show Me the Money - The Effective Presentation of Damages in Arbitration Versus Litigation, 2015; AAA Arbitration Fundamentals and Best Practices for New AAA Arbitrators, 2014; University of Houston's AA White Dispute Resolution Center Basic Mediation Training, 1998; El Paso County Dispute Resolution Center, Mediation Training, 1989.

**Professional
Associations**

Texas Bar Association

Other Associations:

Temple Mt. Sinai, a Reform Jewish Temple: Elected to the positions of Member of Board of Trustees, Secretary, Treasurer, Vice President and ultimately President; now still serving as Past President, along with fifteen other Past Presidents.

Professional Licenses

Admitted to the Bar: Texas (1972); U.S. District Court: Western District of Texas (1983), District of Columbia (2012); U.S. Courts of Appeal: 5th and 10th Circuits (1973-1974).

Education

University of Texas School of Law (JD with Honors, 1971); University of Texas at Austin (BA, Mathematics, 1968).

**Publications and
Speaking Engagements**

Panel: Federal and State Government Roundtable on the Current State of the Mortgage Servicing Industry, Regulatory and Enforcement Priorities at Both the National and State Levels; 2nd Bank & Non-Bank Forum on Mortgage Servicing Compliance; American Conference Institute, Dallas, TX, June 25, 2014

Panel: The View from the State Agencies and State AG Offices on Emerging Regulatory Initiatives, Enforcement Actions and Investigations; 18th National Forum on Consumer Finance Class Actions, American Conference Institute, Los Angeles, April 9, 2014

Panel: Regulatory and Enforcement Roundtable Part II: The View from State Agencies and Attorneys General on New and Emerging Initiatives; 17th Consumer Finance Class Actions & Litigation Conference, American Conference Institute, New York City, January 30, 2014

Panel: Regulatory and Enforcement Roundtable: The View from Federal and State Agencies and Attorneys General on How to Prepare for and Respond to Examinations and Supervision in a Multi-Agency Environment; 13th National Forum on Residential Mortgage Litigation & Regulatory Enforcement, American Conference Institute, Los Angeles, CA, January 16, 2014

Panel: Unique Regulatory and Enforcement Insights by Key Governing Bodies in the Mortgage Industry; 12th National Forum on Residential Mortgage Litigation & Regulatory Enforcement, American Conference Institute, Dallas, TX, September 26, 2013

Panel: Regulatory and Enforcement Roundtable Part II: The View from State Agencies and Attorneys General on New and Emerging Initiatives; 16th Consumer Finance Class Actions & Litigation Conference; American Conference Institute, Chicago, IL, July 29, 2013

Panel: State Regulatory and Enforcement Roundtable; 11th National Forum on Residential Mortgage Litigation & Regulatory Enforcement; American Conference Institute, Washington, DC, April 29, 2013

The Multistate Mortgage Settlement; Policy Summit; Texas Association of Community Development Corporations; Austin, TX, October 4, 2012
Foreclosure Rescue Fraud; Foreclosure Scam Alert Event; San Antonio
Foreclosure Task Force, San Antonio, TX, August 13, 2012

Attorney General's Initiatives to Protect Homeowners; State Bar of Texas 25th Annual Advanced Consumer Bankruptcy Course; Houston, TX, September 18, 2009

Foreclosure Rescue Fraud; Mortgage Fraud Summit; Office of the Attorney General of Texas, Austin, TX, June 15, 2009

Recognizing Mortgage and Foreclosure Scams, Foreclosure Prevention Workshop

sponsored by Congressman Henry Cuellar and the Texas Foreclosure Prevention Task Force; Laredo, TX, June 6, 2009

Foreclosure Rescue Scams; National Attorney General Training and Research Institute; Mortgage Foreclosure Training, Las Vegas, NV, April 7, 2009

Foreclosure on a Dream: Next Steps for Homeowners; 33rd Annual Conference, National Association of Consumer Agency Administrators; Dallas, TX, June 3, 2008

Current Multi state Actions Against Financial Institutions And Risks to Financial Institutions with respect to Consumer Protection Laws; Round Two; Second Annual High Stakes Financial Services Lending & Litigation Issues Symposium; Weil, Gotshal & Manges LLP, Dallas, TX, May 24, 2006; San Francisco, CA, September 19, 2006

Current State Actions Against Financial Institutions and Risks to Financial Institutions with respect to Mortgage Fraud; The Next Step in Combating Mortgage Fraud Conference; Texas Mortgage Bankers Association, San Antonio, TX, October 5 & 6, 2005

Current Multi state Actions Against Financial Institutions and Risks to Financial Institutions with respect to Consumer Protection Laws; Annual High Stakes Financial Services Lending & Litigation Issues Symposium; Weil, Gotshal & Manges LLP, Dallas, TX, February 16, 2005

Panel: NAAG Predatory Lending; Annual Conference, American Association of Residential Mortgage Regulators; Washington, DC, August 24, 2004

Citizenship
Languages
Locale

United States of America
English
El Paso, Texas, United States of America

Compensation

Cancellation Period: 0 Days
Comment: Compensation rates, established by the AAA, are set forth in the applicable Consumer Arbitration Rules.